

No. G050520
Related to No. G050127

Court of Appeal

OF THE

State of California

Fourth Appellate District, Division Three

KAREN MICHELE ROZIER

Plaintiff and Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION

Defendant and Respondent,

Respondent's Motion to Dismiss

Appeal from a Judgment
of the Orange County Superior Court
(No. 30-2012-00601310-CU-OR-CJC)

Honorable Sheila B. Fell, Judge

Jan T. Chilton (State Bar No. 47582)
*Kerry W. Franich (State Bar No. 245857)
SEVERSON & WERSON
A Professional Corporation
19100 Von Karman Avenue, Suite 700
Irvine, California 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118

Attorneys for Defendant and Respondent
U.S. Bank N.A., as Trustee

Page 49 of 77
Page 2 of 269

Defendant and respondent U.S. Bank N.A. hereby moves for an order dismissing this appeal on the ground it is identical to, and duplicative of, another appeal in this Court—No. G050127.

Two appeals by the same party that seek review of the same judgment are duplicative, unnecessary and wasteful. If no question is raised regarding the validity of the first appeal, the second should be dismissed. (*Swortfiguer v. White* (1901) 6 Cal.Unrep. 778, 779.)

There are innumerable questions about the *merit* of Rozier's earlier appeal—No. G050127—but none regarding its validity. She perfected an appeal of a judgment entered after the trial court granted defendant's motion for summary judgment. (MJN, Ex. 1.) She filed the notice of appeal before the trial court formally entered judgment, but that has no impact on that appeal's validity. (Cal. Rules of Court, rule 8.104(e)(1).)

Rozier's appeal here seeks review of the identical judgment of which she sought review earlier. (MJN, Ex. 2.) Since Rozier already perfected a valid appeal of the same judgment in No. G050127, her new appeal in No. G050520 should be dismissed. (*Swortfiguer v. White, supra*, 6 Cal.Unrep. at p. 779.)

Moreover, the appeal should be dismissed as back door attempt to evade the dismissal of her earlier appeal. On July 30, 2014 this Court dismissed Rozier's earlier appeal because she failed to deposit funds, or a substitution for funds, in a timely manner for preparation of the record on appeal. (MJN, Ex. 3.) The dismissal is now final because more than 30 days have passed since it issued. (Cal. Rules of Court, rule 8.264(b)(1).)

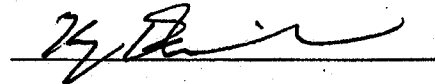
(Part 4) Pg 3 of 77
Page 197 of 269

The effect of the prior dismissal is an affirmance of the judgment such that no second appeal from the same judgment can be maintained. (*Linn v. Weintraub* (1948) 85 Cal.App.2d 109, 110; Code Civ. Proc., § 913.)

For these reasons, the motion to dismiss should be granted.

DATED: September 18, 2014 SEVERSON & WERSON
A Professional Corporation

By:



KERRY W. FRANICH
Attorneys for Defendant and
Respondent U.S. Bank, N.A. as
trustee.

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On September 18, 2014, I served true copies of the following document(s): **RESPONDENT'S MOTION TO DISMISS** on the interested parties in this action as follows:

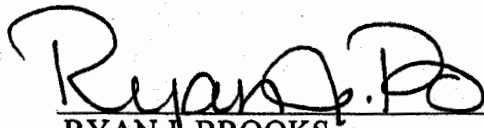
Karen Michele Rozier :
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff and Appellant in Pro Per

☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 18, 2014, at Irvine, California.



RYAN J. BROOKS

Case 12-12020 (MG)

Page 199 of 269

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No. G050520

Related to No. G050127

Court of Appeal

OF THE

State of California

Fourth Appellate District, Division Three

KAREN MICHELE ROZIER

Plaintiff and Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION

Defendant and Respondent,

[Proposed] Order

Appeal from a Judgment
of the Orange County Superior Court
(No. 30-2012-00601310-CU-OR-CJC)

Honorable Sheila B. Fell, Judge

Jan T. Chilton (State Bar No. 47582)
*Kerry W. Franich (State Bar No. 245857)
SEVERSON & WERSON
A Professional Corporation
19100 Von Karman Avenue, Suite 700
Irvine, California 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118

Attorneys for Defendant and Respondent
U.S. Bank N.A., as Trustee

IT IS ORDERED that the motion to dismiss appeal filed by defendant
and respondent U.S. Bank, N.A. as trustee is granted.

Dated: _____

By: _____

Presiding Justice

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On September 18, 2014, I served true copies of the following document(s): **[PROPOSED] ORDER ON RESPONDENT'S MOTION TO DISMISS** on the interested parties in this action as follows:

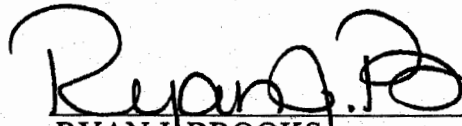
Karen Michele Rozier :
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff and Appellant in Pro Per

☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 18, 2014, at Irvine, California.



RYAN J. BROOKS

No. G050520

Related to No. G050127

Court of Appeal

OF THE

State of California

Fourth Appellate District, Division Three

KAREN MICHELE ROZIER

Plaintiff and Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION

Defendant and Respondent,

Motion for Judicial Notice

Appeal from a Judgment
of the Orange County Superior Court
(No. 30-2012-00601310-CU-OR-CJC)

Honorable Sheila B. Fell, Judge

Jan T. Chilton (State Bar No. 47582)
*Kerry W. Franich (State Bar No. 245857)
SEVERSON & WERSON
A Professional Corporation
19100 Von Karman Avenue, Suite 700
Irvine, California 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118

Attorneys for Defendant and Respondent
U.S. Bank N.A., as Trustee

Pursuant to California Rules of Court, rule 8.252(a) and Evidence Code sections 452 and 459, defendant and respondent U.S. Bank N.A., as trustee, moves the Court to take judicial notice of the following documents in support of its motion to dismiss this appeal.

1. Notice of appeal filed in the Orange County Superior Court on May 12, 2014 in case number No. 30-2012-00601310-CU-OR-CJC, and assigned case number G050127 by this Court. A true and correct copy of the notice of appeal is attached as Exhibit A.

2. Notice of appeal filed in the Orange County Superior Court on July 2, 2014 in case number No. 30-2012-00601310-CU-OR-CJC, and assigned case number G050520 by this Court. A true and correct copy of the notice of appeal is attached as Exhibit B.

3. Dismissal of appeal filed on July 30, 2014 in case number G050127. A true and correct copy of the dismissal order is attached as Exhibit C.

The three court documents above are relevant to this appeal because they demonstrate that this appeal is duplicative of an identical appeal Rozier pursued from the same judgment.

These documents were not presented to or judicially-noticed by the trial court. All three relate to proceedings that occurred after the order or judgment that is the subject of this appeal.

Judicial notice is properly taken of these documents under Evidence Code section 452(c), (d) and (h). The documents are records of the Orange County Superior Court and this Court. That these documents were filed is a fact that is not reasonably subject to dispute and is capable of immediate and accurate determination by resort to sources of reasonably indisputable

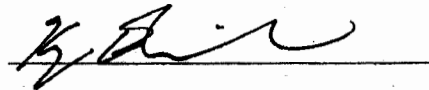
(Page 4) Page 20 of 269

accuracy. (*Jocer Enterprises, Inc. v. Price* (2010) 183 Cal.App.4th 559, 563-564 n. 2 (approving judicial notice of court records in related proceeding).)

For these reasons, defendant respectfully requests that the Court take judicial notice of these three court documents. A proposed order granting this motion is attached.

DATED: September 18, 2014 SEVERSON & WERSON
A Professional Corporation

By:



KERRY W. FRANICH
Attorneys for Defendant and
Respondent U.S. Bank, N.A. as
trustee.

~~Page 14~~ ~~Page 12 of 57~~ Page 267

EXHIBIT "A"

Page 257 of 269

APP-002

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Karen Michele Rozier 7957 Dahlia Circle Buena Park, CA 90620 TELEPHONE NO.: (410) 458-3772 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Orange 05/12/2014 at 08:00:00 AM Clerk of the Superior Court By Giovanni Galon, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 CIVIC CENTER DRIVE WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA 92701 BRANCH NAME: CENTRAL JUSTICE CENTER		
PLAINTIFF/PETITIONER: Karen Michele Rozier DEFENDANT/RESPONDENT: U.S. BANK NATIONAL ASSOCIATION		
<input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> CROSS-APPEAL (UNLIMITED CIVIL CASE)		CASE NUMBER: 30-2012-00601310-CU-OR-CJC
Notice: Please read Information on Appeal Procedures for Unlimited Civil Cases (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal.		

1. **NOTICE IS HEREBY GIVEN** that (name): Karen Michele Rozier
appeals from the following judgment or order in this case, which was entered on (date): April 30, 2014
- ☐ Judgment after jury trial
☐ Judgment after court trial
☐ Default judgment
☒ Judgment after an order granting a summary judgment motion
☐ Judgment of dismissal under Code of Civil Procedure sections 581d, 583.250, 583.360, or 583.430
☐ Judgment of dismissal after an order sustaining a demurrer
☐ An order after judgment under Code of Civil Procedure section 904.1(a)(2)
☐ An order or judgment under Code of Civil Procedure section 904.1(a)(3)-(13)
☐ Other (describe and specify code section that authorizes this appeal):

2. For cross-appeals only:
- a. Date notice of appeal was filed in original appeal:
b. Date superior court clerk mailed notice of original appeal:
c. Court of Appeal case number (if known):

Date: May 10, 2014

Karen Michele Rozier

(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY)

Page 20 of 269

APP-002

CASE NAME:

Rozier vs. U.S. BANK NATIONAL ASSOCIATION, as Trustee

CASE NUMBER:

30-2012-00601310-CU-OR-CJC

NOTICE TO PARTIES: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. A person who is at least 18 years old and is not a party to this appeal must complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the front and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

PROOF OF SERVICE

☒ Mail ☐ Personal Service

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My residence or business address is (specify):
7957 Dahlia Circle Buena Park, CA 90620
3. I mailed or personally delivered a copy of the Notice of Appeal/Cross-Appeal (Unlimited Civil Case) as follows (complete either a or b):
 - a. ☒ Mail. I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope and
 - (a) ☒ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (b) ☐ placed the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed as follows:
 - (a) Name of person served: Yaron Shaham
 - (b) Address on envelope:
Severson and Werson, APC 19100 Von Karman Avenue #700 Irvine, CA 92612
 - (c) Date of mailing: May 10, 2014
 - (d) Place of mailing (city and state): Buena Park, CA
 - b. ☐ Personal delivery. I personally delivered a copy as follows:
 - (1) Name of person served:
 - (2) Address where delivered:

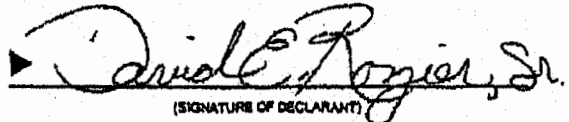
- (3) Date delivered:
- (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 10, 2014

David E. Rozier, Sr.

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

Page 209 of 269

EXHIBIT "B"

Page 20 of 269

APP-002

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Karen Michele Rozier 7957 Dahlia Circle Buena Park, CA 90620 TELEPHONE NO. (4100 458-3772) FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): In Pro Per		FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Orange 07/02/2014 at 08:43:00 PM Clerk of the Superior Court By Giovanni Galon, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 Civic Center Drive West MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana 92701 BRANCH NAME: CENTRAL JUSTICE CENTER		
PLAINTIFF/PETITIONER: Karen Michele Rozier DEFENDANT/RESPONDENT: U.S BANK National Association, as Trustee		
<input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> CROSS-APPEAL (UNLIMITED CIVIL CASE)		CASE NUMBER: 30-2012 00601310-CU-OR-CJC
Notice: Please read Information on Appeal Procedures for Unlimited Civil Cases (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal.		

1. NOTICE IS HEREBY GIVEN that (name): Karen Michele Rozier
appeals from the following judgment or order in this case, which was entered on (date): April 30, 2014

- ☐ Judgment after jury trial
☐ Judgment after court trial
☐ Default judgment
☒ Judgment after an order granting a summary judgment motion
☐ Judgment of dismissal under Code of Civil Procedure sections 581d, 583.250, 583.380, or 583.430
☐ Judgment of dismissal after an order sustaining a demurrer
☐ An order after judgment under Code of Civil Procedure section 904.1(a)(2)
☐ An order or judgment under Code of Civil Procedure section 904.1(a)(3)-(13)
☒ Other (describe and specify code section that authorizes this appeal):

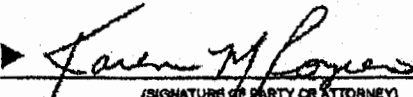
Rule 8.155 (a). Motion to augment the record in support of preserving the status quo pending appeal.

2. For cross-appeals only:
a. Date notice of appeal was filed in original appeal:
b. Date superior court clerk mailed notice of original appeal:
c. Court of Appeal case number (if known):

Date: July 1, 2014

Karen Michele Rozier

(TYPE OR PRINT NAME)

► 
(SIGNATURE OF PARTY OR ATTORNEY)

APP-002

CASE NAME:

Rozier vs. U.S. Bank N.A. as Trustee RAAC 2007RPV/ LaSalle Bank

CASE NUMBER:

30-2012 00601310-CU-OR-CJC

NOTICE TO PARTIES: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. A person who is at least 18 years old and is not a party to this appeal must complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the front and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

PROOF OF SERVICE

☒ Mail ☐ Personal Service

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My residence or business address is (specify):
7957 Dahlia Circle Buena Park, CA 90620
3. I mailed or personally delivered a copy of the Notice of Appeal/Cross-Appeal (Unlimited Civil Case) as follows (complete either a or b):
 - a. ☒ Mail. I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope and
 - (a) ☒ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (b) ☐ placed the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed as follows:
 - (a) Name of person served: John B Sullivan
 - (b) Address on envelope:
Severson and Werson, One Embarcadero Center, Suite 2600 San Francisco, CA 94111
 - (c) Date of mailing: July 2, 2014
 - (d) Place of mailing (city and state): Buena Park, CA
 - b. ☐ Personal delivery. I personally delivered a copy as follows:
 - (1) Name of person served:
 - (2) Address where delivered:

(3) Date delivered:

(4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 2, 2014

David E. Rozier, Sr.

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

~~Page 267~~ Page 267

EXHIBIT "C"

(Part 4) Page 19 of 26

COURT OF APPEAL - STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

KAREN MICHELE ROZIER,
Plaintiff and Appellant,

COURT OF APPEAL-4TH DIST DIV 3
FILED

JUL 30 2014

v.

Deputy Clerk _____

U.S. BANK NATIONAL ASSOCIATION,
Defendant and Respondent.

G050127

Orange County No. 30-2012-00601310

Pursuant to California Rules of Court, rule 8.140(b)(1), the appeal filed May 12, 2014, is DISMISSED for appellant's failure to deposit funds or a substitution for funds in a timely manner for preparation of the record on appeal.

Appellant is advised that this dismissal will become final as to this court 30 days after the date of this order, at which time this court will lose the power to vacate, reconsider or modify it. (See Cal. Rules of Court, rule 8.264(b)(1).)

O'Leary, P.J.
Presiding Justice

cc: See attached list

COPY

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On September 18, 2014, I served true copies of the following document(s): **MOTION FOR JUDICIAL NOTICE** on the interested parties in this action as follows:

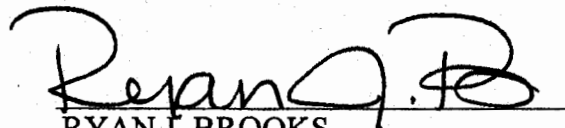
Karen Michele Rozier :
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff and Appellant in Pro Per

☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 18, 2014, at Irvine, California.


RYAN J. BROOKS

No. G050520

Related to No. G050127

Court of Appeal

OF THE

State of California

Fourth Appellate District, Division Three

KAREN MICHELE ROZIER

Plaintiff and Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION

Defendant and Respondent,

[Proposed] Order

Appeal from a Judgment
of the Orange County Superior Court
(No. 30-2012-00601310-CU-OR-CJC)

Honorable Sheila B. Fell, Judge

Jan T. Chilton (State Bar No. 47582)
*Kerry W. Franich (State Bar No. 245857)
SEVERSON & WERSON
A Professional Corporation
19100 Von Karman Avenue, Suite 700
Irvine, California 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118

Attorneys for Defendant and Respondent
U.S. Bank N.A., as Trustee

page 21, 6 of 269

IT IS ORDERED that the motion for judicial notice filed by defendant
and respondent U.S. Bank, N.A. as trustee is granted.

Dated: _____

By: _____

Presiding Justice

Page 217 of 269

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On September 18, 2014, I served true copies of the following document(s): **[PROPOSED] ORDER ON MOTION FOR JUDICIAL NOTICE** on the interested parties in this action as follows:

Karen Michele Rozier :
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff and Appellant in Pro Per

☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 18, 2014, at Irvine, California.



RYAN J. BROOKS

Case 12-12020 (MG)

Page 218 of 269

Exhibit 30

EXHIBIT 30

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 04/30/2014

TIME: 10:00:00 AM

DEPT: C22

JUDICIAL OFFICER PRESIDING: Sheila Fell

CLERK: Rick Burns

REPORTER/ERM: Theresa Jones CSR# 12760

BAILIFF/COURT ATTENDANT: Carolyn J Reza

CASE NO: 30-2012-00601310-CU-OR-CJC CASE INIT.DATE: 09/27/2012

CASE TITLE: Rozler vs. Bank of America

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other Real Property

EVENT ID/DOCUMENT ID: 71936985

EVENT TYPE: Motion for Terminating Sanctions

MOVING PARTY: U.S. Bank National Association, as Trustee, as successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for RAAC 2007-RP1

CAUSAL DOCUMENT/DATE FILED: Motion for Terminating Sanctions, 04/02/2014

EVENT ID/DOCUMENT ID: 71932552

EVENT TYPE: Motion for Summary Judgment and/or Adjudication

MOVING PARTY: U.S. Bank National Association, as Trustee, as successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for RAAC 2007-RP1

CAUSAL DOCUMENT/DATE FILED: Motion for Summary Judgment/Adjudication, 01/08/2014

APPEARANCES

Karen Michele Rozier, self represented Plaintiff, present.

Yaron Shaham, from Severson & Werson, present for Defendant(s).

Alyson M. Dudkowski, from BRYAN CAVE LLP, present for Defendant(s) telephonically.

Court having read and considered the Moving Papers and having heard extensive oral argument rules as follows:

MOTION FOR TERMINATING SANCTIONS: [US BANK]

Grant.

MOTION FOR SUMMARY JUDGMENT/SUMMARY ADJUDICATION: [US BANK]

Grant.

Entered: 30/APR/2014/9

Case 12-12020 (MG)

Page 220 of 269

Exhibit 31

EXHIBIT 31

1 ROBERT J. GANDY (State Bar No. 225405)
rjg@severson.com
2 YARON SHAHAM (State Bar No. 217192)
ys@severson.com
3 SEVERSON & WERSON
A Professional Corporation
4 The Atrium
19100 Von Karman Avenue, Suite 700
5 Irvine, California 92612
Telephone: (949) 442-7110
6 Facsimile: (949) 442-7118

7 JOHN B. SULLIVAN (State Bar No. 96742)
SEVERSON & WERSON
8 A Professional Corporation
One Embarcadero Center, Suite 2600
9 San Francisco, California 94111
Telephone: (415) 398-3344
10 Facsimile: (415) 956-0439

11 Attorneys for Defendant
U.S. BANK NATIONAL ASSOCIATION, as Trustee, as successor in interest to
12 Bank of America, National Association, as Trustee, successor by merger to
LaSalle Bank National Association, as Trustee for RAAC 2007RP1
13

14 SUPERIOR COURT OF CALIFORNIA

15 COUNTY OF ORANGE — CENTRAL JUSTICE CENTER

16 Karen Michele Rozier, an Individual,

17 Plaintiff,

18 vs.

19 Bank of America, National Association as
successor by merger to LaSalle Bank National
20 Association as Trustee RAMP 2007RP1 aka
Bank of America, National Association as
21 successor by merger to LaSalle Bank National
Association as Trustee RAAC 2007RP1; U.S.
22 Bank National Association as successor in
interest to Bank of America National
23 Association as Trustee, successor by merger to
LaSalle Bank National Association as Trustee
24 for RAAC 2007RP1; Residential Funding
Company, LLC fka Residential Funding
25 Company, Attorney-In-Fact; JOHN DOES 18-
50,

26 Defendants.
27
28

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUN 05 2014

ALAN CARLSON, Clerk of the Court

BY R. BURNS

ELECTRONICALLY RECEIVED
Superior Court of California,
County of Orange

04/30/2014 at 04:14:50 PM

Clerk of the Superior Court
By Jaime Cordero, Deputy Clerk

Case No. 30-2012-00601310-CU-OR-CJC

Assigned for All Purposes to:

Hon. Sheila B. Fell

Dept. C22

**[PROPOSED] JUDGMENT ON
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Date: April 30, 2014

Time: 10:00 a.m.

Dept: C22

Reservation No.: 71874288

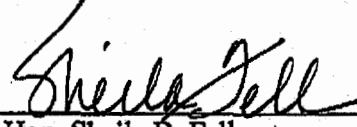
1 After hearing oral argument from the parties on April 30, 2014, this Court hereby grants
2 the Motion for Summary Judgment ("Motion"), of Defendant U.S. Bank National Association, as
3 Trustee, as successor in interest to Bank of America, National Association, as Trustee, successor
4 by merger to LaSalle Bank National Association, as Trustee for RAAC 2007RP1 ("U.S. Bank" or
5 "Defendant") in its entirety. Having granted that Motion and good cause appearing therefor:

6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

- 7 1. Judgment is entered in favor of U.S. Bank and against Plaintiff Karen Rozier
8 ("Plaintiff").
9 2. This action shall be dismissed with prejudice as to U.S. Bank.
10 3. U.S. Bank may pursue a recovery of its costs against Plaintiff pursuant to the
11 California Code of Civil Procedure.

12 IT IS SO ORDERED.

13
14 Dated: June 5, 2014


Hon. Sheila B. Fell
JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE

**Rozler v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On April 8, 2014, I served true copies of the following document(s):

[PROPOSED] JUDGMENT ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

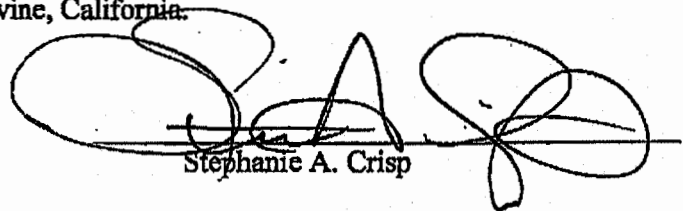
on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 8, 2014, at Irvine, California.



Stephanie A. Crisp

SERVICE LIST
Rozier v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff, In Pro Per

Telephone: (714) 512-5740

Sean Muntz
BRYAN CAVE
3161 Michelson Drive, Suite 1500
Irvine, CA 92612-4414

Telephone: (949) 223 7000
Facsimile: (949) 223 7100

Shaham Declaration Exhibit 3-B.13

Case 12-12020 (MG)

Page 226 of 269

Exhibit 32

EXHIBIT 32

Page 227 of 269

1 ROBERT J. GANDY (State Bar No. 225405)

rjg@severson.com

2 YARON SHAHAM (State Bar No. 217192)

ys@severson.com

3 SEVERSON & WERSON

A Professional Corporation

4 The Atrium

19100 Von Karman Avenue, Suite 700

5 Irvine, California 92612

Telephone: (949) 442-7110

6 Facsimile: (949) 442-7118

ELECTRONICALLY FILED

Superior Court of California,
County of Orange

06/25/2014 at 02:57:00 PM

Clerk of the Superior Court
By e Clerk, Deputy Clerk

7 JOHN B. SULLIVAN (State Bar No. 96742)

SEVERSON & WERSON

8 A Professional Corporation

One Embarcadero Center, Suite 2600

9 San Francisco, California 94111

Telephone: (415) 398-3344

10 Facsimile: (415) 956-0439

11 Attorneys for Defendants

12 U.S. BANK NATIONAL ASSOCIATION, as Trustee, as successor in
13 interest to Bank of America, National Association, as Trustee, successor
by merger to LaSalle Bank National Association, as Trustee for RAAC
2007RP1

14 **SUPERIOR COURT OF CALIFORNIA**

15 **COUNTY OF ORANGE — CENTRAL JUSTICE CENTER**

16 Karen Michele Rozier, an Individual,

17 Plaintiff,

18 vs.

19 Bank of America, National Association as
20 successor by merger to LaSalle Bank National
Association as Trustee RAMP 2007RP1 aka
21 Bank of America, National Association as
successor by merger to LaSalle Bank National
22 Association as Trustee RAAC 2007RP1; U.S.
Bank National Association as successor in
interest to Bank of America National
23 Association as Trustee, successor by merger to
LaSalle Bank National Association as Trustee
24 for RAAC 2007RP1; Residential Funding
Company, LLC fka Residential Funding
25 Company, Attorney-In-Fact; JOHN DOES 18-
50,

26 Defendants.
27
28

Case No. 30-2012-00601310-CU-OR-CJC
Assigned for All Purposes to:
Hon. Sheila B. Fell
Dept. C22

**NOTICE OF JUDGMENT ON
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Page 228 of 269

1 TO THE HONORABLE COURT, PLAINTIFF, AND ALL OTHER INTERESTED
2 PARTIES:

3 PLEASE TAKE NOTICE a true and correct copy of the Court's "Judgment on
4 Defendant's Motion for Summary Judgment" is attached hereto as Exhibit 1.

5
6 DATED: June 25, 2014

SEVERSON & WERSON
A Professional Corporation

7
8
9 By: 
YARON SHAHAM

10 Attorneys for Defendant
11 U.S. BANK NATIONAL ASSOCIATION, as
12 Trustee, as successor in interest to Bank of
13 America, National Association, as Trustee,
14 successor by merger to LaSalle Bank National
15 Association, as Trustee for RAAC 2007RP1
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~~Page 2 of 5~~ 269-57267

EXHIBIT "1"

Page 4230 of 7269

ROBERT J. GANDY (State Bar No. 225405)
rjg@severson.com

YARON SHAHAM (State Bar No. 217192)
ys@severson.com

SEVERSON & WERSON
A Professional Corporation
The Atrium

19100 Von Karman Avenue, Suite 700
Irvine, California 92612
Telephone: (949) 442-7110
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JOHN B. SULLIVAN (State Bar No. 96742)
SEVERSON & WERSON

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One Embarcadero Center, Suite 2600

San Francisco, California 94111
Telephone: (415) 398-3344
Facsimile: (415) 956-0439

Attorneys for Defendant

U.S. BANK NATIONAL ASSOCIATION, as Trustee, as successor in interest to
Bank of America, National Association, as Trustee, successor by merger to
LaSalle Bank National Association, as Trustee for RAAC 2007RP1

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE — CENTRAL JUSTICE CENTER

Karen Michele Rozier, an Individual,

Plaintiff,

vs.

Bank of America, National Association as
successor by merger to LaSalle Bank National
Association as Trustee RAMP 2007RP1 aka
Bank of America, National Association as
successor by merger to LaSalle Bank National
Association as Trustee RAAC 2007RP1; U.S.
Bank National Association as successor in
interest to Bank of America National
Association as Trustee, successor by merger to
LaSalle Bank National Association as Trustee
for RAAC 2007RP1; Residential Funding
Company, LLC fka Residential Funding
Company, Attorney-In-Fact; JOHN DOES 18-
50,

Defendants.

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUN 05 2014

ALAN CARLSON, Clerk of the Court

BY R. BURNS

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Clerk of the Superior Court
By Jaime Cordero, Deputy Clerk

Case No. 30-2012-00601310-CU-OR-CJC
Assigned for All Purposes to:
Hon. Sheila B. Fell
Dept. C22

~~PROPOSED~~ JUDGMENT ON
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT

Date: April 30, 2014
Time: 10:00 a.m.
Dept: C22
Reservation No.: 71874288

page 231 of 269

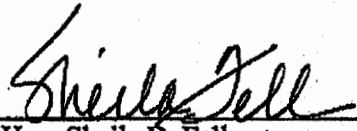
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4 by merger to LaSalle Bank National Association, as Trustee for RAAC 2007RP1 ("U.S. Bank" or
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6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

- 7 1. Judgment is entered in favor of U.S. Bank and against Plaintiff Karen Rozier
8 ("Plaintiff").
- 9 2. This action shall be dismissed with prejudice as to U.S. Bank.
- 10 3. U.S. Bank may pursue a recovery of its costs against Plaintiff pursuant to the
11 California Code of Civil Procedure.

12 IT IS SO ORDERED.

13
14 Dated: June 5, 2014


15 Hon. Sheila B. Fell
16 JUDGE OF THE SUPERIOR COURT
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Page 232 of 269

PROOF OF SERVICE
Rozier v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On April 2, 2014, I served true copies of the following document(s):

[PROPOSED] JUDGMENT ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

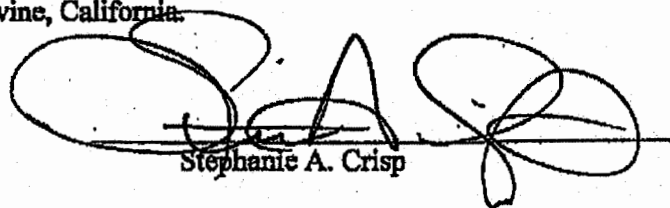
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 2, 2014, at Irvine, California.


Stephanie A. Crisp

Page 235 of 269

SERVICE LIST
Rozier v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff, In Pro Per

Telephone: (714) 512-5740

Sean Muntz, Esq.
BRYAN CAVE
3161 Michelson Drive, Suite 1500
Irvine, CA 92612-4414

Telephone: (949) 223-7000
Facsimile: (949) 223-7100

NOTICE TO CREDITORS
In accordance with the provisions of the California Probate Code, the undersigned, the executor of the estate of the decedent, hereby gives notice to all persons who may have claims against the estate of the decedent, to file the same with the court and the undersigned, within the time prescribed by law.



Page 233 of 269

SERVICE LIST
Rozier v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff, In Pro Per

Telephone: (714) 512-5740

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BRYAN CAVE
3161 Michelson Drive, Suite 1500
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Page 234 of 269

PROOF OF SERVICE

Rozier v. Bank of America, et al.

OCSC Case No. 30-2012-00601310-CU-OR-CJC

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On June 25 2014, I served true copies of the following document(s):

NOTICE OF JUDGMENT ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

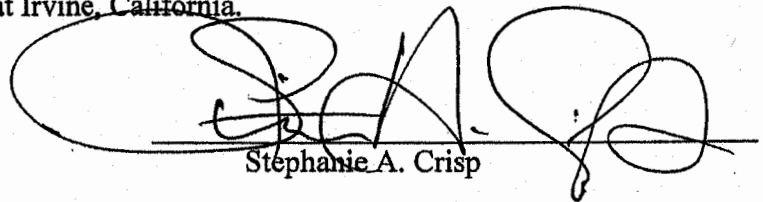
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 25 2014, at Irvine, California.


Stephanie A. Crisp

(Part 4) Pg 42 of 77
Page 236 of 269



I hereby certify the foregoing instrument consisting of 9 page(s)
is a true and correct copy of the original on file in this court.

ATTEST: (DATE)

SEP 30 2014

ALAN CARLSON, EXECUTIVE OFFICER AND CLERK OF THE
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

BY

Patty Conde

DEPUTY

PATTY CONDE

Page 23 of 7269

1 ROBERT J. GANDY (State Bar No. 225405)
 rjg@severson.com
 2 YARON SHAHAM (State Bar No. 217192)
 ys@severson.com
 3 SEVERSON & WERSON
 A Professional Corporation
 4 The Atrium
 19100 Von Karman Avenue, Suite 700
 5 Irvine, California 92612
 Telephone: (949) 442-7110
 6 Facsimile: (949) 442-7118

ELECTRONICALLY FILED
 Superior Court of California,
 County of Orange

06/25/2014 at 02:57:00 PM
 Clerk of the Superior Court
 By e Clerk, Deputy Clerk

7 JOHN B. SULLIVAN (State Bar No. 96742)
 SEVERSON & WERSON
 8 A Professional Corporation
 One Embarcadero Center, Suite 2600
 9 San Francisco, California 94111
 Telephone: (415) 398-3344
 10 Facsimile: (415) 956-0439

11 Attorneys for Defendants
 U.S. BANK NATIONAL ASSOCIATION, as Trustee, as successor in
 12 interest to Bank of America, National Association, as Trustee, successor
 by merger to LaSalle Bank National Association, as Trustee for RAAC
 13 2007RP1

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE — CENTRAL JUSTICE CENTER

16 Karen Michele Rozier, an Individual,
 17 Plaintiff,

18 vs.

19 Bank of America, National Association as
 successor by merger to LaSalle Bank National
 20 Association as Trustee RAMP 2007RP1 aka
 Bank of America, National Association as
 21 successor by merger to LaSalle Bank National
 Association as Trustee RAAC 2007RP1; U.S.
 22 Bank National Association as successor in
 interest to Bank of America National
 23 Association as Trustee, successor by merger to
 LaSalle Bank National Association as Trustee
 24 for RAAC 2007RP1; Residential Funding
 Company, LLC fka Residential Funding
 25 Company, Attorney-In-Fact; JOHN DOES 18-
 50,

26 Defendants.
 27
 28

Case No. 30-2012-00601310-CU-OR-CJC
 Assigned for All Purposes to:
 Hon. Sheila B. Fell
 Dept. C22

**NOTICE OF JUDGMENT OF DISMISSAL
 AFTER GRANTING DEFENDANT'S
 MOTION FOR TERMINATING
 SANCTIONS**

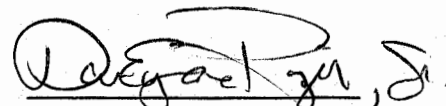
DECLARATION OF DAVID ROZIER REGARDING HARRASSING CALLS TO CLERK OF THE APPEALS COURT

1. I am David Eugene Rozier, Sr., over the age of 18, and qualified to make this declaration. I am an Air Force veteran, honorably discharged. I attended the United States Air Force Academy and my squadron was Squadron of the Year twice. I have a Master of Science in Architecture from Cal Poly, Pomona. I completed two years of a Masters of Arts in Architecture program from Morgan State University and was working on my thesis project when this ordeal began. I am also an Eagle Scout.
2. I received a telephone call on the morning from Dana at the CA Appeals Court informing me of her concerns regarding calls she was receiving from Severson and Werson about the status of Karen's appeal. She informed me during our call that she had seen and spoken with Karen the past week as Karen completed the appeal package and was up to date at the time with a few remaining actions. Dana told me that opposing firm was urging her aggressively to finalize the dismissal and was prompting her to move forward on closing out the case. Dana was giving Karen a courtesy call to figure out if Karen was going to meet the deadlines or is she should just dismiss the appeal.
3. I informed Dana that Karen had been incarcerated earlier that week by a coordinated effort between the perjuring prosecutor and the Bank of American process servers without a legal hearing all just before the New York Court was to have their hearing which she was now unable to attend, and the responding appeals information was due in CA. We were lucky that Mr. William Wagener was in the courtroom and overheard the conversation and filed a declaration of what he overheard. We were both wrongfully convicted as "smooth talking con artists" after a sham trial in New York, which is under appeal. The conviction stemmed from a civil contract gone awry. Neither of us was charged with practicing architecture without a license. Instead, we were convicted as being incompetent despite all of the evidence and a history of proven confidence. That conviction is under appeal. We had appeared before the court at least five previous times since the conviction to get the status of the transcripts. We were expecting a normal status hearing. Instead, the court sprung up allegations that Karen was "scaring people" with her rants about her wrongful conviction.

4. At trial, all of Karen's impressive credentials were excluded. All of her education, experience, publications, and great works were excluded. She was not allowed to testify. She was not allowed any witnesses for her defense. After the state exhausted our funds through endless delays, she was supplied with a court-appointed attorney who she did not talk to until the night before trial. I was there for the conversation and she was livid. She made her disgust known at court, but was ordered to stand trial the next day. During jury deliberations, Karen's court-appointed attorney revealed for the first time that his son worked for Bank of America. Bank of America is a co-Defendant in the Karen's California Action. Moreover, it was two Bank of America agents that lied to the judge to make us appear dangerous. As soon as we revealed that Mr. William Wagener was providing a declaration of what he overheard between the City Prosecutor and the two Bank of America agents, the City Prosecutor was removed from the case. I have a restraining order that prevents me from revealing the prosecutor's name unless ordered, but the case number is OCA01173 in the City of LA.
5. Dana expressed her concerns about the calls which seemed a bit extraordinary since she just spoke with Karen and the missing items were more housekeeping than substantial. Karen usually meets deadlines. I have known her since we were children and she is OCD about deadlines.
6. Karen also was supposed to be opposing Residential Capital's motion to estimate the remaining claims later that same week. I took care of the New York RESCAP hearing personally.
7. My son and I picked Karen up from jail and drove her immediately to the Appeals Court in Santa Ana. Now she is fighting criminal charges levied by Mr. Shaham, again around a deadline.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

Executed in Buena Park, California on October 2, 2014 By


David Eugene Rozier, Sr. MS Architecture

1 **TO THE HONORABLE COURT, PLAINTIFF, AND ALL OTHER INTERESTED**
2 **PARTIES:**

3 **PLEASE TAKE NOTICE** a true and correct copy of the Court's "Judgment of Dismissal
4 After Granting Defendant's Motion for Terminating Sanctions" is attached hereto as Exhibit 1.

5
6 **DATED:** June 25, 2014

SEVERSON & WERSON
A Professional Corporation

7
8
9 By: 
YARON SHAHAM

10 Attorneys for Defendant
11 U.S. BANK NATIONAL ASSOCIATION, as
12 Trustee, as successor in interest to Bank of
13 America, National Association, as Trustee,
14 successor by merger to LaSalle Bank National
15 Association, as Trustee for RAAC 2007RP1
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Page 234 of 267
(Court 4) Pg 47 of 77

EXHIBIT "1"

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUN 05 2014

ALAN CARLSON, Clerk of the Court

R. Burns
BY R. BURNS *RS*

1 ROBERT J. GANDY (State Bar No. 225405)

rig@severson.com

2 YARON SHAHAM (State Bar No. 217192)

ys@severson.com

3 SEVERSON & WERSON

A Professional Corporation

4 The Atrium

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04/30/2014 at 04:14:50 PM

Clerk of the Superior Court
By Jaime Cordaro, Deputy Clerk

11 Attorneys for Defendants

12 U.S. BANK NATIONAL ASSOCIATION, as Trustee, as successor in
13 interest to Bank of America, National Association, as Trustee, successor
by merger to LaSalle Bank National Association, as Trustee for RAAC
2007RP1

14 **SUPERIOR COURT OF CALIFORNIA**

15 **COUNTY OF ORANGE — CENTRAL JUSTICE CENTER**

16 Karen Michele Rozier, an Individual,

17 Plaintiff,

18 vs.

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LaSalle Bank National Association as Trustee
24 for RAAC 2007RP1; Residential Funding
Company, LLC fka Residential Funding
25 Company, Attorney-In-Fact; JOHN DOES 18-
50,

26 Defendants.
27
28

Case No. 30-2012-00601310-CU-OR-CJC
Assigned for All Purposes to:
Hon. Sheila B. Fell
Dept. C22

**[PROPOSED] JUDGMENT OF
DISMISSAL AFTER GRANTING
DEFENDANT'S MOTION FOR
TERMINATING SANCTIONS**

Date: April 30, 2014
Time: 10:00 a.m.
Dept: C22

1 On April 30, 2014, this Court granted the Motion for Terminating Sanctions of Defendant
2 U.S. Bank National Association, as Trustee, as successor in interest to Bank of America, National
3 Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee
4 for RAAC 2007RP1 ("U.S. Bank" or "Defendant") against Plaintiff Karen Rozier ("Plaintiff").

5 Based on that order and there being good cause therefore, IT IS HEREBY ORDERED AND
6 ADJUDGED:

- 7 1. Judgment is entered against Plaintiff, and in favor of U.S. Bank.
- 8 2. Plaintiff shall take nothing by way of her Third Amended Complaint from U.S.
9 Bank.
- 10 3. U.S. Bank may seek a recovery of its costs pursuant to statute.

11
12 DATED: June 5, 2014

13 By: Sheila B. Fell

14 The Hon. Sheila B. Fell
15 Orange County Superior Court
16
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27
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Page 242 of 269

PROOF OF SERVICE

**Rozier v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

On April 30, 2014, I served true copies of the following document(s):

**[PROPOSED] JUDGMENT OF DISMISSAL AFTER GRANTING
DEFENDANT'S MOTION FOR TERMINATING SANCTIONS**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 30, 2014, at Irvine, California.


Stephanie A. Crisp

page 243 of 269

SERVICE LIST
Rozier v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff, In Pro Per

Telephone: (714) 512-5740

Sean Muntz, Esq.
BRYAN CAVE
3161 Michelson Drive, Suite 1500
Irvine, CA 92612-4414

Telephone: (949) 223 7000
Facsimile: (949) 223 7100

page 244 of 269

PROOF OF SERVICE
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OCSC Case No. 30-2012-00601310-CU-OR-CJC

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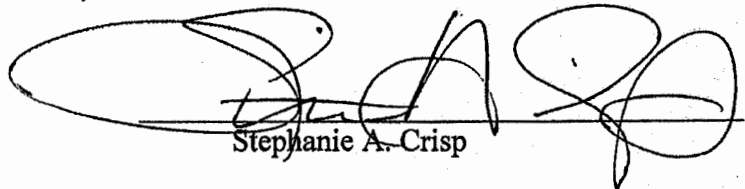
on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 25 2014, at Irvine, California.



Stephanie A. Crisp

Page 245 of 269

SERVICE LIST
Rozier v. Bank of America, et al.
OCSC Case No. 30-2012-00601310-CU-OR-CJC

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff, In Pro Per

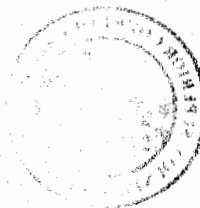
Telephone: (714) 512-5740

Sean Muntz, Esq.
BRYAN CAVE
3161 Michelson Drive, Suite 1500
Irvine, CA 92612-4414

Telephone: (949) 223 7000

Facsimile: (949) 223 7100

(2)0001
huoc air



Page 254 of 73 F 269

I hereby certify the foregoing instrument consisting of 9 page(s)
is a true and correct copy of the original on file in this court.

SEP 30 2014



ATTEST: (DATE)

ALAN CARLSON, EXECUTIVE OFFICER AND CLERK OF THE
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

BY

Patty Conde

, DEPUTY

PATTY CONDE

Case 12-12020 (MG)

Page 217 of 269

Exhibit 33

EXHIBIT 33

**Severson
& Werson**
A Professional Corporation

Kerry W. Franich
Attorney
Direct Line: (949) 225-7971
kwf@severson.com

The Atrium
19100 Von Karman Avenue, Suite 700
Irvine, CA 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118

July 30, 2014

Mr. David Rozier
Mrs. Karen Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Re: ***Rozier v. U.S. Bank et al.***
Case No. G050127
File No. 21000.0212

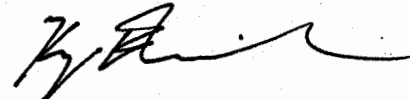
Dear Mr. and Mrs. Rozier:

I represent U.S. Bank, National Association, as Trustee, as successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for RAAC 2007RP1 in the appeal you recently filed.

My firm has recently received various pleadings relating to the appeal through electronic service. This letter serves to confirm that we do not consent to electronic service. Please ensure any future documents you file in the Court of Appeal are served on our office by regular mail or overnight delivery.

Thank you for your courtesy and cooperation in regard to this matter.

Very truly yours,



Kerry W. Franich

Case 12-12020 (MG)

Page 249 of 269

Exhibit 34

EXHIBIT 34

Page 250 of 269

PROOF OF SERVICE

CCP 1013A(3) Revised 5/1/88

ROZIER VS. U.S. BANK (CASE No. 30-2013 00611310/ APPEALS CASE G050127)

I am a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 7957 Dahlia Circle, Buena Park, CA 90620.

APPELLANT'S NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CASE)

On all interested parties in this action through First Class mail on July 2, 2014 addressed as follows:

Attorneys for Defendant U.S. Bank

Robert Gandy, rjg@severson.com

Yaron Shaham, ys@severson.com

Severson and Werson, APC

19100 Von Karman Avenue, Suite 700

Irvine, CA 92612

Mr. John B. Sullivan (jbs@severson.com)

Severson & Werson, A Professional Corporation

One Embarcadero Center, 26th Floor

San Francisco, CA 94111

~~On the Court of Appeals through Personal Service on July 23, 2014 at _____ at the following address:~~

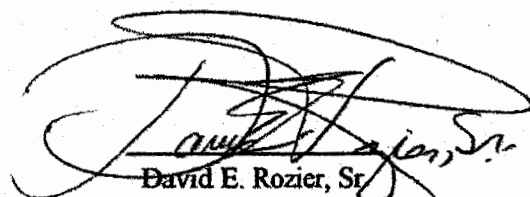
~~Fourth Appellate District, Div 3, 601 W. Santa Ana Santa Ana, CA 92701~~ *JNR*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in Buena Park, California

Dated: July 2, 2014

Served July 23, 2014
~~*Served Aug 29, 2014*~~
mailed Sept 2, 2014


David E. Rozier, Sr.

Page 251 of 269
PROOF OF SERVICE

CCP 1013A(3) Revised 5/1/88

ROZIER VS. U.S. BANK (CASE No. 30-2013 00611310/ APPEALS CASE G050127)

I am a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 7957 Dahlia Circle, Buena Park, CA 90620.

**APPELLANT'S NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CASE)
AMENDED**

On all interested parties in this action through electronic service on all parties addressed as follows:

Attorneys for Defendant U.S. Bank

Robert Gandy, rjg@severson.com

Yaron Shaham, ys@severson.com

Severson and Werson, APC

19100 Von Karman Avenue, Suite 700

Irvine, CA 92612

Mr. John B. Sullivan (jbs@severson.com)

Severson & Werson, A Professional Corporation

One Embarcadero Center, 26th Floor

San Francisco, CA 94111

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in Buena Park, California

Dated: July 25, 2014


David E. Rozier, Sr.

Page 252 of 269

PROOF OF SERVICE

CCP 1013A(3) Revised 5/1/88

ROZIER VS. U.S. BANK (CASE No. 30-2013 00611310/ APPEALS CASE G050127)

I am a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 7957 Dahlia Circle, Buena Park, CA 90620.

Civil Case Information Statement

On all interested parties in this action through First Class mail on July 2, 2014 addressed as follows:

Attorneys for Defendant U.S. Bank

Robert Gandy, rig@severson.com

Yaron Shaham, ys@severson.com

Severson and Werson, APC

19100 Von Karman Avenue, Suite 700

Irvine, CA 92612

Mr. John B. Sullivan (jbs@severson.com)

Severson & Werson, A Professional Corporation

One Embarcadero Center, 26th Floor

San Francisco, CA 94111


On the Court of Appeals through Personal Service on July __, 2014 at _____ at the following address:

Fourth Appellate District, Div 3, 601 W. Santa Ana Santa Ana, CA 92701

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in Buena Park, California

Dated: July 2, 2014


David E. Rozier, Sr

Page 253 of 267

PROOF OF SERVICE

CCP 1013A(3) Revised 5/1/88

ROZIER VS. U.S. BANK (CASE No. 30-2013 00611310/ APPEALS CASE G050127)

I am a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 7957 Dahlia Circle, Buena Park, CA 90620.

CIVIL CASE INFORMATION STATEMENT

On all interested parties in this action through First Class mail on July 28, 2014 addressed as follows:

Attorneys for Defendant U.S. Bank

Robert Gandy, rjg@severson.com

Yaron Shaham, ys@severson.com

Severson and Werson, APC

19100 Von Karman Avenue, Suite 700

Irvine, CA 92612

Mr. John B. Sullivan (jbs@severson.com)

Severson & Werson, A Professional Corporation

One Embarcadero Center, 26th Floor

San Francisco, CA 94111

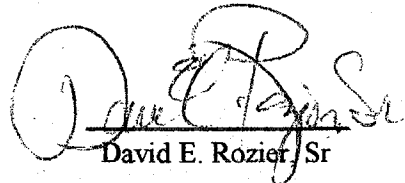
On the Court of Appeals through Personal Service on July 28, 2014 at 11 at the following address:

Fourth Appellate District, Div 3, 601 W. Santa Ana Santa Ana, CA 92701

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in Buena Park, California

Dated: July 28, 2014


David E. Rozier, Sr.

G050520

Rozier v. U.S. Bank National Association

Superior Court of Orange County

• Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Robert James Gandy
Severson & Werson, APC
19100 Von Karman Ave, Ste 700
Irvine, CA 92612

John Brendan Sullivan
Severson, Werson
1 Embarcadero Ctr, Ste 2600
San Francisco, CA 94111

Page 255 of 269

G050127

Rozier v. U.S. Bank National Association

Superior Court of Orange County

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

rozier.karen@yahoo.com

Robert James Gandy
Severson & Werson, APC
19100 Von Karman Ave, Ste 700
Irvine, CA 92612

rjg@severson.com

John Brendan Sullivan
Severson & Werson
1 Embarcadero Ctr, Ste 2600
San Francisco, CA 94111

jbs@severson.com

Page 256 of 269

PROOF OF SERVICE

CCP 1013A(3) Revised 5/1/88

ROZIER VS. U.S. BANK (CASE No. 30-2013 00611310/ APPEALS CASE G050127)

I am a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 7957 Dahlia Circle, Buena Park, CA 90620.

APPELLANT'S NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CASE)

On all interested parties in this action through First Class mail on July 2, 2014 addressed as follows:

Attorneys for Defendant U.S. Bank

Robert Gandy, rjg@severson.com

Yaron Shaham, ys@severson.com

Severson and Werson, APC

19100 Von Karman Avenue, Suite 700

Irvine, CA 92612

Mr. John B. Sullivan (jbs@severson.com)

Severson & Werson, A Professional Corporation

One Embarcadero Center, 26th Floor

San Francisco, CA 94111

~~On the Court of Appeals through Personal Service on July 23, 2014 at _____ at the following address:~~

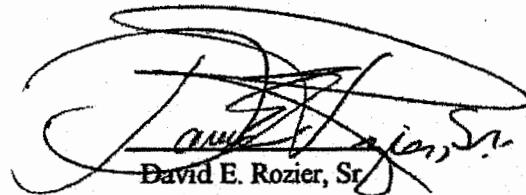
~~Fourth Appellate District, Div 3, 601 W. Santa Ana Santa Ana, CA 92701~~

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in Buena Park, California

Dated: July 2, 2014

1 served July 23, 2014
~~*2 served Aug 29, 2014*~~
mailed Sept 2, 2014


David E. Rozier, Sr.

Page 257 of 269

PROOF OF SERVICE

CCP 1013A(3) Revised 5/1/88

ROZIER VS. U.S. BANK (CASE No. 30-2013 00611310/ APPEALS CASE G050127)

I am a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 7957 Dahlia Circle, Buena Park, CA 90620.

Civil Case Information Statement

On all interested parties in this action through First Class mail on July 2, 2014 addressed as follows:

Attorneys for Defendant U.S. Bank

Robert Gandy, rjg@severson.com

Yaron Shaham, ys@severson.com

Severson and Werson, APC

19100 Von Karman Avenue, Suite 700

Irvine, CA 92612

Mr. John B. Sullivan (jbs@severson.com)

Severson & Werson, A Professional Corporation

One Embarcadero Center, 26th Floor

San Francisco, CA 94111

On the Court of Appeals through Personal Service on July __, 2014 at _____ at the following address:

Fourth Appellate District, Div 3, 601 W. Santa Ana Santa Ana, CA 92701

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in Buena Park, California

Dated: July 2, 2014


David E. Rozier, Sr

Case 12-12020 (MG)

Page 258 of 267

Exhibit 35

EXHIBIT 35

Page 25 of 267
**Severson
& Werson**

A Professional Corporation

Kerry W. Franich
Attorney
Direct Line: (949) 225-7971
kwf@severson.com

The Atrium
19100 Von Karman Avenue, Suite 700
Irvine, CA 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118

September 15, 2014

SENT VIA U.S. MAIL

Clerk of the Court
CA Court of Appeal
Fourth Appellate District, Division 3
601 W. Santa Ana Blvd.
Santa Ana, California 92701

Re: *Rozier v. U.S. Bank National Association, et al.*
OCSC Case No. 30-2012-00601310
Court of Appeal Case No. G050127

To The Clerk of the Court:

Please be advised that I, Kerry W. Franich, will replace Robert Gandy of Severson & Werson as counsel of record for defendant/respondent U.S. BANK N.A., as Trustee in the above-referenced matter effective immediately. Please also add Jan T. Chilton of Severson & Werson as counsel of record for same.

Please update your records to reflect the above. Contact information is listed below:

Jan T. Chilton (SBN: 47582)
*Kerry W. Franich (SBN: 245857)
Severson & Werson
19100 Von Karman Ave., Suite 700
Irvine, CA 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118
Email: kwf@severson.com
jtc@severson.com

Should you have any questions, please don't hesitate to contact me.

Very truly yours,

DICTAED BUT NOT READ TO AVOID DELAY

Kerry W. Franich

KWF:rjb

Page 260 of 269

**PROOF OF SERVICE
California Court of Appeal
Fourth Appellate District, Division 3
Case No.: G050127**

(Los Angeles County Superior Court Case No.: 30-2012-00601310)

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in Irvine, California; my business address is Severson & Werson, 19100 Von Karman Ave., Suite 700, Irvine, California 92612.

On the date below I served a copy of the attached **September 15, 2014 Letter to Court of Appeal Adding Kerry W. Franich and Jan T. Chilton as Counsel of Record for Defendant/Respondent US BANK**, at trustee on all interested parties in said case addressed as follows:

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Plaintiff and Appellant in Pro Per

- ☒ **(BY MAIL)** By placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in Irvine, California in sealed envelopes with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This declaration is executed in Irvine, California, on September 15, 2014.


RYAN J. BROOKS

Case 12-12020 (MG)

Page 26 of 269

Exhibit 36

EXHIBIT 36

Page 262 of 269

COURT OF APPEAL - STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

KAREN MICHELE ROZIER,
Plaintiff and Appellant,

v.

U.S. BANK NATIONAL ASSOCIATION,
Defendant and Respondent.

G050520
Orange County No. 30-2012-00601310

COURT OF APPEAL-4TH DIST-DIV 3
FILED

SEP 24 2014

Deputy Clerk

The court, on its own motion, hereby grants relief to appellant for failure to comply with Orange County Superior Court, Appellate Division's notice of default issued on September 3, 2014.

Appellant is in default for failure to clearly specify which form of the oral record on appeal she intends to elect, pursuant to California Rules of Court, rule 8.121(a) (1) (C), and for failure to deposit funds and/or substitute to cover each hearing date requested in her designation of record on appeal as required by California Rules of Court, rule 8.130(b) and 8.130(c).

Appellant has 15 days from the date of this order to comply with the above defaults. Failure to comply may result in dismissal.

O'Leary, P.J.

Presiding Justice

cc: See attached list

COPY

(Part 4) Page 71 of 77
Page 263 of 269

G050520

Rozier v. U.S. Bank National Association

Superior Court of Orange County

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620

Robert James Gandy
Severson & Werson, APC
19100 Von Karman Ave, Ste 700
Irvine, CA 92612

Case 12-12020 (MG)

Page 264 of 269

Exhibit 37

EXHIBIT 37

Page 265 of 269

Karen Michele Rozier
7957 DAHLIA CIRCLE
BUENA PARK, CA 90620
(714) 512-5740
Representing Herself

RECEIVED

SEP 15 2014

OFFICE OF THE DISTRICT ATTORNEY
HARBOR JUSTICE CENTER
NEWPORT BEACH, CA

IN THE SUPERIOR COURT OF CALIFORNIA
ORANGE COUNTY - HARBOR JUSTICE CENTER

STATE OF CALIFORNIA, COUNTY OF ORANGE

Plaintiff

vs.

Karen Michele Rozier, an Individual;

Defendant.

Case No.

14HM06814

**REQUEST FOR CHANGE OF VENUE TO FEDERAL
COURT; NOT GUILTY PLEA; REQUEST TO BE
RELEASED ON NO BAIL**

JURY TRIAL DEMANDED

TO ALL INTERESTED PARTIES, PLEASE TAKE NOTICE that I, Karen Michele Rozier, pleads **NOT GUILTY AND FACTUALLY INNOCENT OF ALL CHARGES**. Additionally Defendant requests a change of venue to a place more favorable to black Americans. She does not feel she can get a fair trial in Orange County.

Defendant seeks a change of venue as the Accuser is a large multi-national conglomerate and the Accused an individual and black woman.

PLEA

NOT GUILTY PLEA - 1

Page 266 of 269

1 In addition to other defenses which may be raised once I am informed of the nature of charges against
2 me, I offer the following defenses:

- 3 1. Factually Innocent
- 4 2. No lawful order
- 5 3. Lack of Intent
- 6 4. Fraud Upon the Court
- 7 5. Racial and religious harassment, discrimination and intimidation

8 CHARGES

9 **PC 166.** (a) Except as provided in subdivisions (b), (c), and (d), a person guilty of any of the following
10 contempt of court is guilty of a misdemeanor: (4) Willful disobedience of the terms as written of any process
11 or court order or out-of-state court order, lawfully issued by a court, including orders pending trial.

12 **653m.** (a) Every person who, with intent to annoy, telephones or makes contact by means of an electronic
13 communication device with another and addresses to or about the other person any obscene language or
14 addresses to the other person any threat to inflict injury to the person or property of the person addressed
15 or any member of his or her family, is guilty of a misdemeanor. Nothing in this subdivision shall apply to
16 telephone calls or electronic contacts made in good faith.

17 DEFENSES

- 18 1. **Factually Innocent** - *I never called Yaron Shaham. I called his firm.*
- 19 2. **No lawful order** - Defendant alleges that there was no lawful order. Defendant has
20 appealed the underlying Order and will provide this court with a conformed copy as soon as
21 one becomes available. Defendant alleges that the crooked lawyers shopped the case until it

landed on sex-for-jobs/rulings disgraced official's Scott Steiner's lap. Defendant alleges that the well-connected lawyers used their previous relationship with Mr. Steiner (who was recently censured by the Judicial Commission for his sex-for jobs/ rulings shenanigans) to obtain favorable status. Defendant alleges that the Jewish lawyers used anti-anti-Semitism to portray her as someone who hates and would target Jewish people, wrongly assuming her religion when they have no way of knowing Defendant's religion or tolerance for other religions. Defendant further alleges that the accusers and Scott Steiner used her race, the Chris Dorner hysteria and anti-black feelings in Orange County to portray her as a dangerous black person, completely ignoring her lifetime of dedicated, honorable, uneventful service to this nation.

3. **Lack of Intent** – Defendant had no intent of disobeying any lawful court order. Defendant cannot comply with an illegally obtained racist-related court order in good conscience. Defendant, the first black female admitted into the doctoral program at Harvard's John F. Kennedy School of Government, who was granted full tuition plus a generous monthly stipend – is a genius. She also happens to be black and stuck in the place the F.B.I. calls the worst place to be a Black person – worse even than Ferguson, Missouri according to F.B.I. data. Defendant has no intent of hurting anyone. Defendant has every intent of continuing to seek criminal penalties for any party she can prove committed crimes against ^{her} ~~them~~, especially the crimes of bearing false witness and racism.
4. **Fraud Upon the Court** – Defendant alleges that the Accuser is maliciously and with malice of forethought, interfering with her right to prosecute her civil actions against the following entities: Residential Capital (Residential Funding Company, GMAC Mortgage, LLC and Executive Trustee Services, LLC); Bank of America, N.A. and U.S. Bank, N.A. Defendant alleges that hers is one of the original cases in California and that she uncovered the

Page 268 of 269

1 wrongdoing. Defendant alleges that the lawyers realize they can't beat the Defendant on the
2 merits of her cases so they have resorted to smear tactics. In all of their latest filings, they
3 claim that since my behavior is so "outrageous" in the California litigation, the judges should
4 dismiss all charges and allow the criminal banks and their wicked lawyers to steal more
5 from the general public. Defendant alleges that she was one of the few that saw the crash
6 coming and that she participated as follows:

- 7 a. Revealed problems with LIBOR (Feb 2006 letter to WMC Mortgage Company). WMC
8 Mortgage (a GE Money Company) was put out of business (March 2008).
- 9 b. Put Residential Capital into Chapter 11 bankruptcy (litigation filed October 2008,
10 claims open in New York)
- 11 c. Chased Mortgage Electronic Registration Systems Company out of California
12 (federal case . MERS was never legally registered to conduct business in the state of
13 California, which is ^acompletely different problem than that the issue MERS has in
14 the other 49-states. The Defendant alleges that Attorney General Kamala Harris sold
15 out all California-MERS victims for the good of "the system". Defendant alleges she is
16 being persecuted by the system for exercising her first amendment constitutionally
17 guaranteed protections to alert her fellow citizens of said theft.
- 18 d. Exposed US Bank as the bully they are. US Bank has been singly out vocal women
19 for prosecution across the country. Defendant spotted the pattern and helped form
20 a group of women from across the nation that stood up to U.S. Bank. Almost every
21 one of them went to jail, including Defendant. While in jail based on the proven
deliberately false testimony of two Bank of America agents (declaration from
independent newsman), Defendant met many glazed women whose only crime was
trying to legally defend their homes from an illegal and fraudulent foreclosure.

Page 269 of 269

1 Almost all were there based on trumped up charges by the well-financed banks plus
2 inept representation by lawyers supplied by the state, a state which derives its
3 income from bank pensions. In my case, the Alternate Public Defender supplied me
4 with a lawyer whose son works for Bank of America, even though I fully disclose
5 that I am suing Bank of America for millions of dollars. My three Marsden motions to
6 have him removed were denied.

5. Racial and religious harassment, discrimination and intimidation - I am black, female and
live in Orange County. I believe in God but subscribe to no religion. I respect them all for
their positive contributions and acknowledge their shortcomings. I accused the Accusers of
not being Jews, but of using the Jewish faith to gain an unfair advantage against non-Jews.
While it is allowed for Jews to not give an advantage ~~to~~ a non-Jew, it is my understanding of
the religion that it is not allowed for them to take unfair advantage of others under any
circumstances. They are allowed to not help or to inform a non-Jew when that person is
hurting their case, but they are not allowed to lie, cheat and steal in order to gain an
advantage over a non-Jew. The Accusers have used my words to portray me as someone
who hates Jews. Many of my good friends are Jews and I work alongside them every week in
Westminster as we feed up to 300-hungry families, the way God intended us.

14 The accused have harmed my ability to feed the hungry population they created. They are being allowed
15 to use race to continue to harass me. I plead NOT GUILTY, FACTUALLY INNOCENT, BANK VICTIM.

16 Defendant is presently out of jail on bail in a related case. Defendant was jailed when agents for Bank of
17 America went to court claiming that she and her husband attacked them with an ax. Defendant's
18 neighbor provided witnesses statements that the white agents attacked Defendant's black husband on
19 Defendant's property, and that Defendant never struck back. An independent newsman also provided a
20